

DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) D.R.K. L.L.C. Phone 208-941-8458
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address SEE ATTACHED SHEET 1 City _____
 State _____ ZIP _____ Email _____
2. Name of representative, if any ALAN MILLS Phone 208-880-0525
 Mailing address BOX 206 City MIDDLETON
 State IDAHO ZIP 83644 Email millsco realty@msn.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground Water which is a tributary of N/A
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>4N</u>	<u>2W</u>	<u>10</u>			<u>NE</u>	<u>NE</u>	<u>Canyon</u>	<u>Ground Water</u>	<u>LOT 7, BLOCK 2</u>

Linsfield
Estates

5. Water will be used for the following purposes:
 Amount .03 for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .03 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. ALTERNATE OPENINGS
OF 18" OR LESS
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 10" inches; proposed depth of well is < 18' feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

Received by RN Date 7/18/18 Time 3:00 Preliminary check by RS
 Fee \$ 00.00 Receipted by RN Receipt No. W046560 Date 7-18-18

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2W	10	1.3																1.3
			~~F.A.~~																

Total number of acres to be irrigated: 1.3

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? SHARES OF MIDDLETON
MILL ARE NOT AVAILABLE TO SITE
11. a. Who owns the property at the point of diversion? APPLICANT
b. Who owns the land to be irrigated or place of use? APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. SEE ATTACHED NARRATIVE
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Michael H Conklin for DRK LLC
Signature of Applicant
Michael H Conklin
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Sommer, Rachel

From: Alan <millscorealty@msn.com>
Sent: Thursday, August 09, 2018 11:31 AM
To: Sommer, Rachel
Subject: Narritive

1-We are proposing to put in 18 foot or shallower alternate openings for each of our thirteen lots. Each opening will have an option of pressurizing their water or lifting it to a surface system such as gated pipe.

2- There is no delivery of water from the Middleton Mill Irrigation Company to our property and there never was a delivery because of the manner in which it was split.

Thank you for your consideration



CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Filing fee: \$100 typed, \$120 not typed

Complete and submit the application in duplicate.

FILED EFFECTIVE

2017 OCT 16 PM 4:35

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

DRK LLC

(Remember to include the words "Limited Liability Company," "Limited Company," or the abbreviations L.L.C., LLC, or LC)

2. The complete street and mailing addresses of the principal office is:

11347 W Dallon Ct, Boise, ID 83713

(Street Address)

same

3. The name of the registered agent and the street address of the registered agent:

Michael H Conklin

11347 W Dallon Ct, Boise, ID 83713

(Name)

(Address cannot be a post office box or postal mail box.)

4. The name and address of at least one governor of the limited liability company:

Michael H Conklin

11347 W Dallon Ct, Boise, ID 83713

(Name)

(Address)

Jake T Conklin

11347 W Dallon Ct, Boise, ID 83713

(Name)

(Address)

R. Ravindra Kumar

471 Trebbiano Place, Pleasanton, CA 94566

(Name)

(Address)

(Name)

(Address)

5. Mailing address for future correspondence (annual report notices):

11347 W Dallon Ct, Boise, ID 83713

(Address)

Signature of organizer(s).

Signature: _____

Printed Name: **Michael H Conklin**

Signature: _____

Printed Name: **Jake T Conklin**

Secretary of State use only

IDAHO SECRETARY OF STATE

10/17/2017 05:00

CK:10006 CT:308091 BH:1607686
1@ 100.00 = 100.00 ORGAN LLC #2

W190561

A PORTION OF THE W 1/2 NE 1/4 OF SECTION 10,
TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO



3. Sewage disposal shall be by individual septic systems. Sanitary restrictions pertaining to the use of land for the construction of new fields shall be subject to the approval of Southwest District Health.
4. The land in this subdivision is entitled to delivery of water by Midgton Mill Irrigation District and by Lemp Lateral, Inc. The water rights appurtenant to this land shall remain appurtenant to the land and the assessment obligations to both entities shall remain with the landowners, as the water rights have not been transferred from the land. The subportion lands within the Irrigation district shall be served by the subportion lands to deliver water to title of one acre or less, pursuant to Idaho Code § 31-3802(1)(b), or wells shall be used to recover and deliver groundwater resulting from irrigation under the Midgton Mill Irrigation District and Lemp Lateral, Inc. Irrigation works for use on the lands with appurtenant water rights of the Midgton Mill Irrigation District and Lemp Lateral, Inc. pursuant to Idaho Code § 42-228.

11. Storm damage facilities outside the public Right-of-Way shall be the responsibility of the Homeowner's Association or property owner on which the storm drainage facility is constructed if no Homeowner's Association exists. Responsibility for storm drainage facilities includes all maintenance both routine and non-routine.
12. No new development or redevelopment of land may discharge storm water onto Highway District right-of-way or into the District's Municipal Separate Storm Sewer System.

CURVE TABLESheet 1 of 2

Division Land Surveyors, P.C.

BOOK-

PAGE

Scale: 1" = 100'

⊕ ALUMINUM CAP MONUMENT - FOUND

- 0 CALCULATED POINT
PROPERTY BOUNDARY LINE
SECTION/ALLOTMENT PART LINE
LOT LINE
INGRESS/EGRESS, UTILITY &
DRAINAGE EASEMENT LINE
UNLESS OTHERWISE NOTED, EASEMENTS SHALL BE:
TO FEET ALONG SIDINGS OF ALL LOT LINES.
IF A LOT LINE IS SHOWN WITHIN THE LOT LINES,
THE LOT LINES HAVE NOT BEEN INSTALLED WITHIN THE
EASEMENT(S).

03-34584



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BLTCH" OTTER
Governor

GARY SPACKMAN
Director

August 30, 2018

DRK LLC
11347 W DALLAN CT
BOISE, ID 83713

Applications for Permit Nos. 63-34582-63-34594 (13 Applications Total)

Dear Applicant(s):

The Department of Water Resources has received your water right applications. Please refer to the numbers referenced above in all future correspondence regarding these applications.

A legal notice of each application has been prepared and is scheduled for publication in the PRESS TRIBUNE on 9/6/2018 and 9/13/2018. Protests to any of these applications may be submitted for a period ending ten (10) days after the second publication.

If any of the application are protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If any of the applications are not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the applications.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
ALAN MILLS
PO BOX 206
MIDDLETON, ID 83644

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, August 30, 2018 9:55 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Canyon Legal Ads
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Morning Legal Clerks,

Please see the attached ads for publication on 9/6/2018 & 9/13/2018.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

August 30, 2018

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application for Permit No. 2-10558
 Application for Permit No. 63-34581
 Application for Permit No. 63-34582
 Application for Permit No. 63-34583
 Application for Permit No. 63-34584
 Application for Permit No. 63-34585
 Application for Permit No. 63-34586
 Application for Permit No. 63-34587
 Application for Permit No. 63-34588
 Application for Permit No. 63-34589
 Application for Permit No. 63-34590
 Application for Permit No. 63-34591
 Application for Permit No. 63-34592
 Application for Permit No. 63-34593
 Application for Permit No. 63-34594
 Application for Amendment of Permit No. 63-33940

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/24/2018. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following applications have been filed to appropriate the public waters of the State of Idaho:

2-10558

HGOAL LLC
7996 S BOGUS RIDGE WAY
BOISE, ID 83716
Point of Diversion L6(NWSE) S8 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION 03/01 to 11/15 0.35 CFS
Total Diversion: 0.35 CFS
Date Filed: 2/12/2018
Place of Use: IRRIGATION
T01N R03W S8 L7(SWSE) L7(SESE)
Total Acres: 24

63-34581

JOELENE GOULD
JARED GOULD
PO BOX 189
MELBA, ID 83641
Point of Diversion NENE S8 T05N R03W CANYON County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/01 to 11/15 0.14 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 7/30/2018
Places of Use: IRRIGATION, DOMESTIC, STOCKWATER
T05N R03W S8 NENE
Water bearing zone to be appropriated is from 119 to 240 feet.

63-34582

DRK LLC
11347 W DALLAN CT
BOISE, ID 83713
Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 7/18/2018
Place of Use: IRRIGATION
T04N R02W S10 NENE
Total Acres: 1.3
Water bearing zone to be appropriated is from 0 to 18 feet.
This proposal is located in Lot 6 Blk 1 in Linfield Estates Subdivision.

63-34583

DRK LLC
11347 W DALLAN CT
BOISE, ID 83713
Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 7/18/2018
Place of Use: IRRIGATION
T04N R02W S10 NENE
Total Acres: 1.3
Water bearing zone to be appropriated is from 0 to 18 feet.
This proposal is located in Lot 5 Blk 1 in Linfield Estates Subdivision.

63-34584

DRK LLC
11347 W DALLAN CT
BOISE, ID 83713
Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 7/18/2018
Place of Use: IRRIGATION
T04N R02W S10 NENE
Total Acres: 1.3
Water bearing zone to be appropriated is from 0 to 18 feet.
This proposal is located in Lot 7 Blk 2 in Linfield Estates Subdivision.

63-34585

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 6 Blk 2 in Linfield Estates Subdivision.

63-34586

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 5 Blk 2 in Linfield Estates Subdivision.

63-34587

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 01/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 4 Blk 2 in Linfield Estates Subdivision.

63-34588

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 3 Blk 2 in Linfield Estates Subdivision.

63-34589

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place Of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 2 Blk 2 in Linfield Estates Subdivision.

63-34590

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 1 Blk 2 in Linfield Estates Subdivision.

63-34591

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 4 Blk 1 in Linfield Estates Subdivision.

63-34592

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 3 Blk 1 in Linfield Estates Subdivision.

63-34593

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 2 Blk 1 in Linfield Estates Subdivision.

63-34594

DRK LLC

11347 W DALLAN CT

BOISE, ID 83713

Point of Diversion NENE S10 T04N R02W CANYON County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 7/18/2018

Place of Use: IRRIGATION

T04N R02W S10 NENE

Total Acres: 1.3

Water bearing zone to be appropriated is from 0 to 18 feet.

This proposal is located in Lot 1 Blk 1 in Linfield Estates Subdivision.

PROPOSED AMENDMENT OF WATER PERMIT

Dennis and Debbie Turner of 2558 Williams Lane, Homedale, Idaho 83628 filed Application No. 82641 on August 6 2018 to amend a water permit no. 63-33940 with a 2014 priority from ground water and wastewater totaling 5.03 cfs for stockwater and supplementary irrigation use located approximately 4.5 miles northwest of Wilder, Idaho. The applicant proposes to amend the permit to change the point of diversion from a location near the Snake River to a point along the riverside canal roughly 0.3 miles north of the original location.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed amendment(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-211. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 9/24/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/6/2018 and 9/13/2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 30, 2018

MIDDLETON IRRIGATION ASSN INC
PO BOX 848
MIDDLETON ID 83644-0214

Re: Application for Permit No. 63-34582-63-34594 (13 Applications)

Dear Interested Party:

The above referenced applications may be of interest to you. I would like to inform you that the applications have been submitted to the *Idaho Press Tribune* for advertising. I have enclosed a copies of the applications for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the applications, a written protest along with the \$25.00 protest fee must be received in this office by **September 24, 2018**. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Sommer, Rachel

From: Alan <millscorealty@msn.com>
Sent: Thursday, August 09, 2018 11:26 AM
To: Sommer, Rachel
Subject: Re: DRK LLC Applications for Permit

That is the correct address for DRKLLC.

From: Sommer, Rachel <Rachel.Sommer@idwr.idaho.gov>
Sent: Wednesday, August 8, 2018 1:53:04 PM
To: millscorealty@msn.com
Subject: DRK LLC Applications for Permit

Alan Mills,

Thank you taking the time today to discuss the 13 applications for permit you submitted on behalf of DRK LLC.

Please address the following items:

- Email me a narrative to attach to the applications that describes your proposal.
- Is DRK LLC able to access their shares from Middleton Mill Ditch Co.?
- An overpayment of \$230 was received. A refund of \$230 will be issued to DRK LLC; is their correct mailing address 11347 W Dallan Ct, Boise, Idaho 83713?

Sincerely,

Rachel Sommer | Water Resource Agent, Senior
Idaho Dept. of Water Resources | Western Regional Office
208.334.2190 | 2735 Airport Way, Boise ID 83705